PART IV

Section 1-C

GENERAL STATUTORY RULES AND STATUTORY ORDERS ISSUED BY THE CENTRAL GOVERNMENT AND ORDERS MADE BY THE PRESIDENT AND REPUBLISHED BY THE STATE GOVERNMENT.

GOVERNMENT OF MYSORE

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

NOTIFICATION

No. LAW 284 LCR. 1972, Bangalore, dated 28th March 1973.

The Governor of Mysore is pleased to order that the Gold Control (Forms, Fees and Miscellaneous Matters) Amendment Rules, 1972 which has been published in the *Gazette of India*, Extraordinary Part II, Section 3, sub-section (ii), dated the 27th December 1972 be republished in the *Mysore Gazette* for general information.

H. SUBBA RAO,
Under Secretary to Government,
Department of Law and Parliamentary Affairs.

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

(EXTRAORDINARY)

Part II—Section 3—Sub-section (ii), dated 27th December 1972.

S.O. 765(E).—In exercise of the powers conferred by section 114 of the Gold (Control) Act, 1968 (45 of 1968), the Central Government hereby makes the following rules

further to amend the Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1968, namely :—

1. (1) These rules may be called the Gold Control (Forms, Fees and Miscellaneous Matters) Amendment Rules, 1972.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 5 of the Gold Control (Forms, Fees and Miscellaneous Matters) Rules, 1968 (hereinafter referred to as the said rules):—

(*a*) in sub-rule (2), to clause (i), the following proviso shall be added, namely :—

"Provided that an application referred to in section 27 for grant of licence for the sale of articles, or ornaments, or both, to persons outside India shall be in form No. G.S. 6A."

(*b*) in sub-rule (3), in clause (i), for the word, letters and figure "form No. G.S. 6" the words, letters and figures "form No. G.S. 6 or form No. G.S. 6A, as the case may be" shall be substituted.

3. To rule 6 of the said rules, in sub-rule (1), for the words, letters and figure "in form No. G.S. 8", the following shall be substituted, namely :—

"where the articles, or ornaments, or both are to be sold within India, in form No. G.S. 8, and where the articles, or ornaments, or both, are to be sold only to persons outside India, in form No. G.S. 8A."

4. After rule 15 of the said rules, the following rule shall be inserted, namely :—

"15A. *Bond to be executed in certain cases.*—Every person is granted a licence under section 27 in form No. G.S. 8A to export out of India articles, or ornaments, or both, shall at the time of grant of such licence, execute a Bond in form No. G.S. 24."

5. In the Appendix to the said rules—

(*a*) after form No. G.S. 6, the following form shall be inserted, namely :—

"Form No. G.S. 6A" *for sales to persons outside India.*

[See rule 5(2)]

Application for issue or renewal of Licence by Dealer in Gold.

(Delete the letters and words not applicable)

To,

The (here fill in the authority authorised under section 4 to exercise the powers of the Administrator).

Sir,

I/We (Block letters).....son of .....residing at ..... request that I/We during may be granted a licence to deal in gold———————— . may be renewed for the accompanying the year ending the 31st December, 19————.

2. I/We hereby declare that the particulars of the premises for dealing in gold are as specified in the Schedule below.

3. I/We agree to abide by the provisions of the Gold (Control) Act, 1968, (45 of 1968) and the rules, orders and directions issued thereunder and the terms and conditions of the licence which may be granted/renewed, and further undertake that, during a full calendar year after the grant of the licence, I/We shall dispose of by sale only to persons outside India articles or ornaments or both—

(i) the net total value of which is not less than one lakh rupees and

(ii) the total net gold content of which is not less than the equivalent of one thousand grammes of pure gold,

save the where any articles or ornaments, or both, are rejected by the person outside India on account of defect in manufacture or of quality, I/We shall depose of the same in accordance with the provisions of the Gold (Control) Act, 1968 (45 of 1968) and where such gold has

to be sold the same shall be sold only to other licensed dealers and the total pure gold content of the articles, or ornaments, or both, thus sold shall not exceed ten percent of the total pure gold content of the articles, or ornaments, or both, sold to persons outside India.

4. I/We have appended a treasury challan in payment of the licence fee of Rupees.

renewal

5. I/We hereby declare that no licence previously held by me/us has been revoked or suspended, or could not be renewed owing to branch of any provision of Part XII/A of the Defence of India Rules, 1962, or the Gold (Control) Ordinance, 1968 (6 of 1968) or the Gold (Control) Act, 1968 (45 of 1968) or the rules, orders or directions issued thereunder.

6. I/We have a branch of my business at the following premises.

branches of our .....
.....

Licence (s) is respect of the branch will be applied for separately to the proper officer at ..... branches .....

I/We am/are also partner(s) in the business of.....

have financial interest

Licence (s) in respect of this business will be applied separately to the proper officer at .....

8. I/We append herewith full particulars of the transactions made by me/us in proof of my/our past experience in the export of goods out of India.

9. I/We declare to the best of my/our knowledge and belief the information furnished here is true and complete and that I/We have no other interest(s) in any other business, relating to the refining, converting, manufacturing, making, purchase and sale of gold or article made of gold including ornaments.

Place.....
Date..... Signature(s) of the applicant(s)

Instructions

If the applicant has any other interest in any other establishment dealing in or with gold, full particulars should be stated under item 7.

SCHEDULE

	Address of Premises	Distinguishing letter number of each	Detailed description of each	Purpose of each
1.	Brief description (with boundaries) of the premises to be used ...			
2.	Description of each main division or sub-division of the premises ...			
3.	Safe-room or other place (s) of storage ...			
4.	No. of shifts per day worked ...			
5.	No. of persons employed ...			
6.	Names and addresses of partners and others having financial interest in the business ...			
7.	Names of managerial and clerical staff employed ...			
8.	No. of workmen, working in the premises for shift ...			
9.	Board details of machinery and power used, *e g.* voltage, rectifiers, transformers, crucibles, nature and type of fuel generally used ...			
10.	Other manufacturing details ...			
11.	Quantity, description and purity of gold received during 12 months ending 31st December, 19 ...			
12.	Quantity, descriptions and purity of gold disposed of during 12 months ending 31st December, 19 ...			
13.	Weight of pure gold equivalent of total net gold content, (i) value of gold disposed of by sale to persons outside India and to foreign tourists against payments in foreign currency. (ii) to others ...			

Signature(s) of the applicant(s)

NOTE: 1. All varieties of gold of whatever purity and form should be included in the application.

2. Full particular of the transactions made for export of goods out of India should be appended in case the application is for issue of licence.

3. Purity of gold should be expressed in terms of carats (100 per cent purity being 24 carats) or in fineness per mile. The description, weight and purity of each article of gold should be separately recorded."

4. Pure gold means gold of 24 carat purity.

(b) after form No. G.S. 8, the following form shall be inserted, namely:—

Range.....

Circle.....

"FORM No. G.S. 8-A"

[*See* rule 6(1)]

For sales to persons outside India and to foreign tourists

LICENCE TO DEAL IN GOLD

(Delete the letters and words not applicable)

Shri/Sarvashri ..... address..... having undertaken to comply with the conditions prescribed in the Gold (Control) Act, 1968 (45 of 1968) and the full orders and directions issued thereunder and having the prescribed licence fee of Rs..... is/are hereby authorised to deal in gold during the year ending 31st December, 19.....in the undermentioned premises, subject to the provisions of the said Act and the rules, orders and directions issued thereunder.

Address of the premises (As described in the Application for Licence).

.....

.....

2. The privilege conferred by this licence extends only to dealing in gold subject, however to the condition that the holder(s) of this licence shall, during a full calendar year after the grant of the licence, dispose of by sale only to persons outside India, articles, or ornaments, or both—

(i) the net total value of which is not less than one lakh rupees and,

(ii) the total net gold content of which is not less than the equivalent of one thousand grammes of pure gold.

save that where any articles or ornaments or both, are rejected by the person outside India on account of defect in manufacture or of quality, the same shall be disposed of in accordance with the provisions of the Gold (Control) Act, 1968 (45 of 1968), and where such gold has to be sold, the same shall be sold only to other licensed dealers and the total pure gold content of the articles, or ornaments, or both, thus sold shall not exceed ten per cent or the total pure gold content of the articles, or ornaments, or both, sold to persons outside India.

3. No corrections in the licence will be valid unless ordered and attested by the licensing authority.

4. This licence may be cancelled, or suspended, or its renewal may be refused, in accordance with the provisions of the Gold (Control) Act, 1968 (45 of 1968).

5. The grant of this licence shall be without prejudice to the rights of any other persons over the licensed business or the licensed premises to which such person may be entitled under any other law.

Place.....

Date.....

Seal.....

Licensing Authority.

Renewal of the License

Date of Renewal	Year for which renewed	Signature of proper officer

NOTE :—The license should be displayed at a prominent place in the authorised premises in such a manner that it can be visible to any proper officer/other person visiting the premises."

(c) after form No. G.S. 23, the following form shall be inserted, namely :—

"FORM No. G.S.-24"

BOND (WITH SECURITY) TO BE ENTERED INTO BY PERSON FOR APPLYING FOR GRANT OF DEALERS LICENCE FOR EXPORT OF ORNAMENTS OR ARTICLES, OR BOTH.

(*See* rule 15A)

(Delete the words and letters not applicable)

I/We ..... of .....[hereunder called am

the obligors(s)] are jointly and severally bound to the President in the sum of five hundred rupees to be paid to I

the President for which payment we jointly and severally bind myself/ourselves and my our legal representatives.

The above bounden obligor(s) being granted a licence to deal in gold at ..... and registered in the records of the Gold Control Officer as No..... dated .....

Whereas the licensing authority has required the obligor(s) to deposit, as guarantee for the amount of this Bond, *the sum of five hundred rupees in cash*.

the securities as hereinafter mentioned of a total face value of five hundred rupees endorsed in favour of the President of India and accepted on his behalf by the Assistant Collector of Central Excise, namely :—

And whereas the obligor(s) has have furnished such guarantee by depositing with the Assistant Collector the cash securities as afore-mentioned;

The conditions of this Bond are—

(*a*) that the obligor(s) and his/their legal representatives shall, during a full calendar year after the grant of the licence, dispose of by sale only to persons outside India articles, or ornaments, or both—

(i) the net total value of which is not less than one lakh rupees, and

(ii) the total net gold content of which is not less than the equivalent of one thousand grammes of gold of 24 carat purity (hereinafter referred to as pure gold) ;

(*b*) that where any articles, or ornaments, or both, are rejected by the person outside India on account of defect in manufacture or of quality, they shall be disposed of in accordance with the provisions of the Gold (Control) Act, 1968 (45 of 1968), and where such gold has to be sold,

the same shall be sold only to other licensed dealers and the total pure gold content of the articles, or ornaments, or both, thus sold shall not exceed ten per cent by weight of the total pure gold content of the articles, or ornaments, or both, sold to the persons outside India.

If the conditions mentioned above are complied with, this obligation shall be void. Otherwise, and on breach or failure in the performance of any part of this condition, the same shall be in full force.

And the President of India, shall, at his option, be competent to forfeit the amount of the guarantee deposit. I/We declare that this Bond is given under the orders of the Central Government for the performance of an act in which the public are interested.

Place.....

Date..... Signature (s) of obligor (s).

Witness (1) .....Address (1).....Occupation (1)....

Witness (2) .....Address (2).....Occupation (2)....

Accepted by me this day of 19

... .of Central Excise.

F. No. 131/6/72-GC II.

[M. A. RANGASWAMY]

Gold Control Administrator and
Jt. Secy.